

Maanori KUSUNOKI et al., S.N. 10/566,864
Page 7

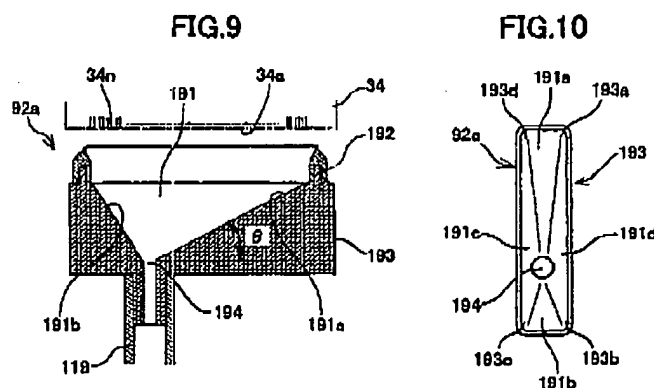
Dkt. 2271/75819

REMARKS

The application has been reviewed in light of the Office Action dated June 17, 2008. Claims 1-10 are pending. By this Amendment, claims 1 and 6 have been amended to clarify the claimed subject matter. Accordingly, claims 1-10 are presented for reconsideration.

Claims 1-3, 6, 8 and 9 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Kamiyama (JP 7-40538) in view of Kitade (JP 6-238915). Claims 4, 5 and 10 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Kamiyama in view of Kitade and further in view of U.S. Patent No. 6,435,665 to Lerat et al. Claim 7 was rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Kamiyama in view of Kitade and further in view of U.S. Patent No. 6,695,443 to Arita et al.

Applicant submits that the present application is allowable for at least the reason that the cited art does not disclose or suggest the aspect of the present application that a recess-forming member that comprises a plurality of slopes providing respective inclined surfaces extending to an outlet at a bottom of the recess from an entire circumference of an opening part of the cap member, *each of the inclined surfaces forming an inclination angle equal to or larger than 20 degrees* with respect to a horizontal plane. Such recess-forming member is shown in Figs. 9 and 10 of the present application which are reproduced below.



Maanori KUSUNOKI et al., S.N. 10/566,864
Page 8

RECEIVED
CENTRAL FAX CENTER
SEP 05 2008

Dkt. 2271/75819

Each of independent claims 1 and 6 has been amended to clarify such aspect. As discussed in the application, such aspect enables little or no recording liquid to remain within the cap member in the maintenance/recovery device having such constitution, even when a recording liquid with a high viscosity of 5 cp or more and with a surface tension of 40 mN/m or less at 25 degrees C is used, and thus one can obtain a clear image with high concentration and few blots on plain paper.

Kamiyama, as understood by Applicant, proposes a configuration of a head cap 1 which recovers drained ink 4 from ink jet head 2 in an inkjet printer by suction to negative pressure suction recovery means 3 side, wherein ink drainage orifice 1d opened at a bottom is connected to the negative pressure suction recovery means 3, front opening part 1c is positioned against the ink drainage orifice 1d in such a manner that the opening part 1c covers the nozzle 2a face of the ink jet head 2, and first gradient surface 1a which tilts mildly toward the ink drainage orifice 1d and second gradient surface 1b which tilts steeply toward the ink drainage orifice 1d from an area near the ink drainage orifice 1d of the first gradient surface 1a are provided on the inner surface of the bottom of the head cap 1.

It is contended in the Office Action that inclined surface 31, located around outlet 23, in Fig. 3 of Kamiyama forms an inclination angle of about 13 degrees and that paragraph [0006] of Kamiyama (a machine translation of which is reproduced below) mentions that the angle can be 30 degrees.

[0006]In such technical means, it may select suitably in the range which can discharge the ** ink 4 about a size of 1 d of the above-mentioned ink outlets, and shape, Although it may be about an arranging position of 1 d of ink outlets anywhere in a pars basilaris ossis occipitalis of the head cap 1, when the uniform recovery nature of ink is taken into consideration, it is desirable to provide 1 d of ink outlets in an approximately center part of a pars basilaris ossis occipitalis. The second inclined plane 1b may be a curved surface which extends inside an outlet from 1d of ink outlet near part of the first loose inclined plane. And if it is a grade which can show

Maanori KUSUNOKI et al., S.N. 10/566,864
Page 9

Dkt. 2271/75819

smoothly the ** ink 4 which has moved along the first inclined plane 1a as *inclination of the second inclined plane 1b to the outlet 1d side, it can select suitably, and what is usually 30 degrees - about 60 degrees is selected.* Front shape of the head cap 1 is not limited to a rectangular thing, but if a nozzle 2a side of the ink jet head 2 can be covered, it can choose arbitrary shape (for example, ellipse form).

However it is noted that the 30 degrees referenced in paragraph [0006] of Kamiyama is the inclination angle of second gradient surface 1b in Fig. 1 of Kamiyama. In contrast, the 13 degrees referenced in paragraph [0009] of Kamiyama is the inclination angle of first inclined surface 31 in Fig. 3 of Kamiyama.

Accordingly, neither configurations proposed in Kamiyama disclose or suggest, however, the aspect of the present application that a recess-forming member that comprises a plurality of slopes providing respective inclined surfaces extending to an outlet at a bottom of the recess from an entire circumference of an opening part of the cap member, *each of the inclined surfaces forming an inclination angle equal to or larger than 20 degrees* with respect to a horizontal plane.

The other cited references (including Kitade, Lerat and Arita) likewise do not disclose or suggest such aspect of the present application.

Applicant submits that the cited art, even when considered along with common sense and common knowledge to one skilled in the art, does **NOT** render unpatentable the above-mentioned aspect of the present application.

Accordingly, applicant respectfully submits that independent claims 1 and 6, and the claims depending therefrom, are patentable over the cited art.

In view of the remarks hereinabove, Applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper

SEP 05 2008

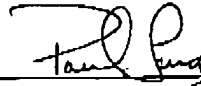
Maanori KUSUNOKI et al., S.N. 10/566,864
Page 10

Dkt. 2271/75819

should be considered to be such a petition. The Patent Office is hereby authorized to charge any other required fees, and to credit any overpayment, to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



Paul Teng, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel.: (212) 278-0400